

UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF NEW YORK

Central New York Fair
Business Association, et al.

Plaintiffs

-against-

Sally M. R. Jewell, United States Secretary
of the Interior, in her official and
individual capacity, et al.

Defendants.

NOTICE OF APPEAL

Civil Case No.
08-CV-00660 (LEK/DEP)
Hon. Lawrence E. Kahn,
U.S.D.J.

PLEASE TAKE NOTICE that Plaintiffs hereby appeal to the United States Court of Appeals for the Second Circuit from the Decision and Order of the United States District Court for the Northern District of New York (Kahn, J.) denying their Motion for Reconsideration on November 2, 2015 (Dkt. No. 131) and the Judgment thereon and the Decision and Order of March 26, 2015 (Dkt. No. 127) granting the United States Motion for Summary Judgment dismissing their case and the Judgment thereon and the prior Decision and Order of December 6, 2010 (Dkt. No. 83) denying the Plaintiffs Motion for Reconsideration of the dismissal of the causes of action in the Amended Complaint and the Judgment thereon and the prior Decision and Order of March 1, 2009 (Dkt. No. 74) granting of the motions to dismiss under both the initial and amended complaints as against Defendant Arthur Raymond Halbritter such that Mr. Halbritter is no longer a party to this suit and entering Judgment in favor of the Defendant on the United States Motion for

Partial Summary Judgment against the initial Complaint dismissing the NEPA, Tenth Amendment, 42 U.S.C. § 1981, §1983, §1985 and IGRA causes of action and granting the United States Motion for Partial Summary Judgment against the Amended Complaint dismissing the Separation of Powers claim, claims as to 42 U.S.C. § 1981, §1983, §1985 and §1986, NEPA claim and challenge to the December 30, 2008 transfer of 18 acres into trust.

Dated December 30, 2015

Respectfully submitted,

/s/ James J. Devine

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